(8)

SINGLE BENCH

C.F. 2400/-

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR (C.G.)

WRIT PETITION NO. 247/ OF 2006

PETITIONER :

1. Jaduram Nag, aged about 38 years, Son of Shri Dhaniram Nag, Presently working as Assistant Teacher, Govt. Primary School Tokapal (Sankul Potanar), Block Tokapal, District South Bastar, Dantewada (C.G.).
2. Smt. Sujata Devi, aged about 47 years, D/o Shri Pilu Singh Kashyap, Presently working as Assistant Teacher, Govt. Primary School Kurenga Madiyapara, Block Tokapal, District South Bastar, Dantewada (C.G.).
3. Dilip Kumar Shouri, aged about 39 years, Son of Late Shri Deshi Ram Shouri, Presently working as Assistant Teacher, Govt. Boys Hostel Kunji, Block Tokapal, District South Bastar, Dantewada (C.G.).
4. Piluram Kashyap, aged about 37 years, Son of Shri Koduram Kashyap, Presently working as Assistant Teacher, Govt. Primary School Kondalur,

RECEIVED-COPY 8/5/06 CLERK to A. G. BILASPUR

P.R. No. 2531/06 Presented by Shri SR Sahu dated 8/5/06

5/4/06

(9)

(2)

Block Tokapal, District South Bastar, Dantewada (C.G.).

5. Mansharam, aged about 41 years, Son of Late Shri Dashruram Teta, Presently working as Assistant Teacher, Govt. Primary School Tikradhanora, Block Tokapal, District South Bastar, Dantewada (C.G.).

6. Sanyashi Nagwanshi, aged about 38 years, Son of Late Shri Ranga, Presently working as Assistant Teacher, Govt. Navin Ashram Shala, Dhhodhherpal, Block Darbha, District South Bastar, Dantewada (C.G.).

7. Onkar Singh Baghel, aged about 40 years, Son of Shri Sagram Singh Baghel, Presently working as Assistant Teacher, Govt. Primary School Ransargipal, Block Tokapal, District South Bastar, Dantewada (C.G.).

8. Chandrabhan Singh Netam, aged about 44 years, Son of Shri Ghari Ram Netam, Presently working as Assistant Teacher, Govt. Middle School Errakot, Block

(B)

Tokapal, District South Bastar, Dantewada (C.G.).

9. Smt. Amita Das, aged about 39 years, Wife of Shri Shubhashish Das, Presently working as Assistant Teacher, Govt. Primary School Dimrapal, Block Tokapal, District South Bastar, Dantewada (C.G.).

10. Smt. Anusha John, aged about 36 years, Wife of Shri A. K. John, Presently working as Assistant Teacher, Govt. Primary School Aanvrabhata, Block Tokapal, District South Bastar, Dantewada (C.G.).

11. Daman Singh Verma, aged about 40 years, Son of Late Shri Rambisad Verma, Presently working as Assistant Teacher, Govt. Primary School Metawala, Block Tokapal, District South Bastar, Dantewada (C.G.).

12. Satyendra Kumar Singh, aged about 43 years, Son of Shri Parasnath Singh, Presently working as Assistant Teacher, Govt. Middle School Keshlur, Block Tokapal, District

(4)

South Bastar, Dantewada (C.G.).

13. Mukesh Kumar Jain, aged about 41 years, Son of Late Shri Puranchand Jain, Presently working as Assistant Teacher, Govt. Primary School Dongriguda, Block Tokapal, District South Bastar, Dantewada (C.G.).

14. Smt. Namita Shrivas, aged about 41 years, D/o Shri Chetan Shrivas, Presently working as Assistant Teacher, Govt. Primary School Mejaripaha, Block Tokapal, District South Bastar, Dantewada (C.G.).

15. Smt. Ganga Devi, Chandrawanshi, aged about 46 years,..... Presently working as Assistant Teacher, Govt. Primary School Padarguda Arrakit, Block Tokapal, District South Bastar, Dantewada (C.G.).

16. Smt. Shanti Das, aged about 40 years, Wife of Shri Jageshchandra Das, Presently working as Assistant Teacher, Govt. M.L.B. H. S. School

(5)

Jagdalpur, District South Bastar, Dantewada (C.G.).

17. Smt. Ratna Karn, aged about 44 years, D/o Shri Nagendra Prasad Karma, Presently working as Assistant Teacher, Govt. Primary School Dharmur Tekamela, Block Tokapal, District South Bastar, Dantewada (C.G.).

18. Kamal Singh Goyal, aged about 38 years, Son of Shri B. R. Goyal, Presently working as Assistant Teacher, Govt. Primary School Tokapal (Kotwarpara), Block Tokapal, District South Bastar, Dantewada (C.G.).

19. Mohan Lal Kashyap, aged about 39 years, Son of Shri Lakhnu Ram Kashyap, Presently working as Assistant Teacher, Govt. Primary School Burunjpal, Block Tokapal, District South Bastar, Dantewada (C.G.).

20. Naresh Kumar Kashyap, aged about 44 years, Son of Late Shri Ludraram, Presently working as Assistant Teacher, Govt. Primary School Telanga

(6)

Aarapur, Block Tokapal, District South Bastar, Dantewada (C.G.).

21. Bhagat Ram Mandavi,a ged about 39 years, Son of Late Shri J. L. Mandavi, Presently working as Assistant Teacher, Govt. Primary School Gudrapara (Raikot), Block Tokapal, District South Bastar, Dantewada (C.G.).

22. Tara Singh Futan, aged about 40 years, Son of Late Shri J. R. futan, Presently working as Assistant Teacher, Govt. Middle School Nainmoor, Block Tokapal, District South Bastar, Dantewada (C.G.).

23. Pratima Diwan, aged about 35 years, D/o Shri Laxmidhar Diwan, Presently working as Assistant Teacher, Govt. Primary School Ratnabandha, Block Tokapal, District South Bastar, Dantewada (C.G.).

24. Smt. G. Subhadra Rao, aged about 38 years, Wife of Shri G. Nagendra Rao, Presently working as Assistant Teacher, Govt. M.L.B. H.S. Jagdalpur,

District South Bastar, Dantewada (C.G.).

VERSUS

RESPONDENTS :

1. State of Madhya Pradesh, Through: The Secretary, Tribal Welfare Department, Vallabh Bhawan, Bhopal (M.P.).

2. State of Chhattisgarh, Through: The Secretary, Tribal Welfare Department, D.K.S. Bhawan, Raipur (C.G.).

3. The Commissioner, Tribal Welfare Department, Bhopal, (M.P.).

4. The Commissioner, Tribal Welfare Department, Raipur (C.G.).

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA, 1950 FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS ETC. AND FOR APPROPRIATE ORDER/ORDERS, DIRECTION/DIRECTIONS.

आदेश पत्रक

मामला क्रमांक WP No.2471/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.5.2006

Shri P.P. Sahu, Advocate for the petitioners.

Shri Sushil Dubey, Govt. Adv. for the State.

Heard.

The petitioners, who are working as Assistant Teachers in various schools in the State of Chhattisgarh, have preferred this petition. The main grievance of the petitioners is that they were appointed as Assistant Teachers in the year 1987 in the pay scale of Rs.545-10-575-15-800-20-900-25-975/-, in addition to the Dearness Allowance, but instead of paying the above scale the petitioners were paid the fixed amount of Rs.300/- p.m. during the first session of probation period. Therefore, some of the similarly situated persons moved before the State Administrative Tribunal at Jabalpur, who vide order dated 15.10.1999 directed the State Government for payment of regular pay scale and in compliance of that order 26 persons, who moved the petition, have been paid the regular pay scale. Similarly, in the case of Dharmendra Thakur, Smt. Meena Awasthi, Ramesh Upadhyay, Harsih Chand Goyal, Ashok Pandey, Umesh Panigrehi, Shivanand Kashyap and Manglu Ram Nag the Assistant Commissioner, Tribal Welafare, Jagdalpur vide order dated 13.5.2005 ordered for making payment of regular pay scale to them. The petitioners herein have been denied the said pay scale, therefore, they have made a representation Annexure P-7 to respondent No.4, but so far nothing has been heard from the side of respondent No.4. Therefore, learned counsel for the petitioners requested that in the circumstances, respondent No.4 be directed to decide the

[पीछे देखिये

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

representation of the petitioners and pass orders, to which learned counsel for the State has no objection.

Having heard learned counsel for the petitioners, having regard to the facts and circumstances of the case and having regard to the order dated 13.5.2005 (Annexure P-8) passed by the Assistant Commissioner, Tribal Welfare Department, Jagdalpur and also the order of State Administrative Tribunal, Jabalpur, I am of the considered opinion that respondent No.4 should decide the representation made by the petitioners within a period of three months from today and if the representation of the petitioners is not available with him, then the petitioners can make a fresh representation to respondent No.4. Ordered accordingly.

With the direction aforesaid, the petition stands disposed of.

In view of this order, I.A. No.4896/06 also stands disposed of.

Certified copy as per rules.

Sd/-
L.C. Bhadoo
Judge

[पीछे देखिये